

# ***LUNENBURG PLANNING BOARD TOWN OF LUNENBURG***

Emerick R. Bakaysa, Chair  
Joanna L. Bilotta-Simeone, Vice-Chair  
Thomas W. Bodkin, Jr., Clk.  
Robert J. Saiia, Mbr.  
Nathan J. Lockwood, Mbr.  
Marion M. Benson, Planning Director



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960 Massachusetts Avenue  
Lunenburg, MA 01462

Minutes  
June 25, 2012

Meeting Posted: Yes

Place: Ritter Memorial Building, 960 Massachusetts Avenue, Lunenburg, MA 01462

Time: 6:30 PM

Present: Emerick R. Bakaysa, Joanna L. Bilotta-Simeone, Thomas W. Bodkin Jr. Nathan J. Lockwood, Marion M. Benson

Absent: Robert J. Saiia

**APPROVAL- Minutes:** Motion to approve minutes of June 4, 2012 and June 13, 2012, Ms. Bilotta-Simeone, Second, Mr. Bodkin Jr., minutes signed.

## **NOTICES & COMMUNICATIONS:**

Director noted the following:

Town Hall and Ritter Memorial Building will be closed from July 2<sup>nd</sup> through July 6<sup>th</sup>.

Department of Public Safety Memorandum on Preemption of Municipal Action

Board of Selectmen adopted Remote Participation Policy

Annual Update of Chapter 40R Smart Growth Zoning District submitted to State

## **COMMITTEE REPORTS:**

**MJTC-** Mr. Saiia not present to report

**MRPC-** Next meeting scheduled for June 26<sup>th</sup>.

**School Reconfiguration Committee-** No report

## **PLANNING DIRECTOR'S REPORT/NEW BUSINESS:**

**Highfield Village, Northfield Road-** Current Extension to expire June 30, 2012. Office in receipt of extension request to December 1, 2012. Ms. Bilotta-Simeone, Motion, to extend to December 31, 2012, Second, Mr. Bodkin Jr. Motion passed.

## **DEVELOPMENT STATUS REPORTS:**

**Asian Imperial, 5 Electric Avenue-** Applicant has hired a construction company. Water test done on site. Sewer Commission has advised applicant of peer review cost for proposed grease trap.

**Emerald Place at Lake Whalom, 10 Lakefront Avenue-** Meeting held with Ms. Benson and principals. The following items were discussed: Relocation of a villa, installation of trash compactor, and installation of dog park area. Plans in final stage for a "professional park" on the commercial parcel. Ms. Bilotta-Simeone raised concern of an abundance of police calls for Emerald Place; Ms. Benson responded that Chief Bourgeois noted via electronic mail that "Emerald Place does not have an issue with an overabundance of police calls". Mr. Bakaysa inquired as to status of "over-55". Ms. Benson to inquire.

**Tri Town Landing, Youngs Road-** Plan has been submitted for Building 3. Plan has been reviewed by Marsden Engineering and okayed for construction.

**New England Farms-** Awaiting Zoning Board of Appeals signage report.

## **APPOINTMENTS:**

**ANR, 357 Electric Avenue-** Plan presented by Whitman & Bingham Associates. Location is the old Whalom Drive In. Sewer is available as a result of Sewer Commission rezoning within Sewer District at May 2011 Town Meeting. Site will be "mixed use" (mall, storage facility, professional office). Original permit, which was for the site as a storage facility, cannot be utilized as plan has changed. Plan accepted for review.

**MRPC, District Local Technical Assistance Program (DLTA)/Master Planning-** Glenn Eaton, Executive Director and John Hume, Planning and Development Director were present to discuss the DLTA program funded by the Commonwealth of Massachusetts. MRPC receives fund to provide technical assistance to communities at no cost to the community. MRPC could work with the Board to review Priority Development Areas (PDA's) and Priority Preservation Areas (PPA's) within the Town. This would provide a solid foundation for future master planning efforts. MRPC has sent Lunenburg's application to DHCD. If approved, then MRPC would work on a scope of services with the community.

**MEETING SCHEDULE:**

July 9<sup>th</sup>, Board meeting, Town Hall  
July 16<sup>th</sup>, Public Hearing, EPG Solar, Town Hall  
July 23<sup>rd</sup>, Board meeting, Ritter Memorial Building

**EPG Solar, 265 Pleasant Street- Development Plan Review (DPR) under previous Zoning Bylaw Section 6.6.-** The DPR was read into record at the June 4<sup>th</sup> Board meeting. At this meeting Mr. Bakaysa read into record the changes since that date.

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This application for Development Plan Review (DPR) was submitted and reviewed under the applicable provisions of the Zoning Bylaw existing at the time of its filing on November 29, 2011.

NOTE: Subsequent to that filing, the Zoning Bylaw was amended by Town Meeting on May 5, 2012 to include new provisions applicable to all solar energy facilities, including this proposed facility. Among other things, these provisions require a special permit from the Planning Board for all large-scale ground-mounted solar energy facilities proposed to be located outside of the Solar Overlay District. As EPG Solar LLC's proposed solar farm is not located within the Solar Overlay District it requires a special permit. Accordingly, notwithstanding this DPR approval, no building permit may issue unless and until the applicant applies for and obtains a special permit.

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NOTE: This submittal was reviewed in accordance with the applicable provisions of the Zoning Bylaw at the time of its filing. A new Solar Bylaw, Section 4.15. was presented and passed at the Annual Town Meeting on May 5, 2012. THE APPLICANT SHALL APPLY FOR A SPECIAL PERMIT AND shall be required to adhere to the requirements of the Bylaw as written in Section 4.15. The new submittal shall be made under the Special Permitting Process and presented to the Planning Board for its review and consideration and no building permit shall be issued unless and until said special permit has been issued.

Motion, Ms. Bilotta-Simeone, to approve the Development Plan Review for EPG Solar as submitted, Second, Mr. Bodkin Jr., roll call vote- Mr. Lockwood, aye; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye.

**MEMBER ISSUES:**

Board members requested Ms. Benson pursue the implementation of lunenburgonline.com e-mail addresses for each of them through the Tech Director and the Town Manager.

Board Reorganization – MJTC Representative – Tabled - Mr. Saiia not present.

**APPOINTMENT: EPG Solar, 265 Pleasant Street- Special Permit application presented to Board.** Application presented by principals Mr. Borkowski and Mr. Babcock. Public Hearing scheduled for July 16, 2012. Application will be reviewed under the new Solar Bylaw. Use of the property is protected under an ANR that the Board endorsed February 13, 2012. Project size has been reduced by approximately two-thirds. Under the wholesale model the size of the project would not be reduced because it would not make economic sense to the Applicant. Under a retail model with net metering, the Applicant can make it much smaller and renewable energy credits will go to Lunenburg amounting to approximately \$100,000/yearly in electrical savings. There are a limited number of net meter credits available, and if the Applicant doesn't secure them in time, they will go back to the wholesale model. Setbacks are between 125 feet and 250 feet. Screening and landscaping has been enhanced from original proposal.

**PUBLIC COMMENT:** Citizens in attendance urged the Board to stay with the 200 foot setbacks.

**ADJOURNMENT:** 8:45 PM.